



MOTOR VEHICLE SALES FINANCE ADMINISTRATIVE AND LICENSING ACTIONS

May 1, 2014 – April 30, 2015

License Suspension and Revocation Actions

Case No.: L14-083

Name: Cedar Creek Cars & Trucks LLC, 121 N Seven Points Blvd., Seven Points, Texas 75143

License No.: 14868-56405

Background: The OCCC initiated an enforcement action to revoke Cedar Creek's license for violations of: (1) Section 348.408 of the Texas Finance Code by failing to provide payment on the full balance of trade-in vehicles within 25 days of the trade, (2) Section 349.001 of the Texas Finance Code by failing to refund excessive public official fees, and (3) Title 7, Section 84.708 of the Texas Administrative Code by failing to maintain records of trade-in vehicle payoffs and public official fee refunds.

Disposition: Following a hearing before an administrative law judge, Commissioner Pettijohn adopted the recommendation of the proposal for decision and issued a final order revoking Cedar Creek's license.

Case No: L14-103

Name: Fogle, Robert Eugene (Gene) d/b/a Gene Fogle Motors, 2803 East Veterans Memorial Blvd., Killeen, Texas 76543

License No.: 10162-45941

Background: The OCCC initiated an enforcement action to suspend Gene Fogle's license for violations of: (1) Section 348.005 of the Texas Finance Code by charging excessive public official fees, (2) Section 348.006 of the Texas Finance Code by charging unauthorized documentary fees, (3) Section 349.001 of the Texas Finance Code by failing to refund excessive public

official fees and unauthorized documentary fees, and (4) Title 7, Section 84.703 of the Texas Administrative Code by failing to perform a self-review for excessive public official fees and unauthorized documentary fees.

Disposition: The OCCC issued an agreed order assessing a \$15,000 administrative penalty and imposing one year of probation.

Administrative Penalties Assessed for Financing Prior to Licensure:

L14-118	Licensee paid \$1,000 penalty
L14-121	Licensee paid \$500 penalty
L14-142	Licensee paid \$1,200 penalty
L14-143	Licensee paid \$1,110 penalty
L14-144	Licensee paid \$1,500 penalty
L14-158	Licensee paid \$3,500 penalty
L14-169	Licensee paid \$1,300 penalty
L14-344	Licensee paid \$1,500 penalty
L14-346	Licensee paid \$2,500 penalty

L14-347	Licensee paid \$1,600 penalty
L14-351	Licensee paid \$2,500 penalty
L15-013	Licensee paid \$1,100 penalty
L15-107	Licensee paid \$3,000 penalty
L15-146	Licensee paid \$1,800 penalty
L15-151	Licensee paid \$1,200 penalty
L15-154	Licensee paid \$1,200 penalty
L15-188	Licensee paid \$2,500 penalty

Administrative Penalties Assessed for Charging Unauthorized Documentary Fees:

L13-220	Licensee paid \$750 penalty
L14-075	Licensee paid \$1,500 penalty
L14-119	Licensee paid \$3,750 penalty
L14-124	Licensee paid \$1,500 penalty
L14-128	Licensee paid \$1,500 penalty
L14-131	Licensee paid \$1,500 penalty
L14-157	Licensee paid \$1,500 penalty
L14-160	Licensee paid \$1,500 penalty
L14-161	Licensee paid \$1,500 penalty
L14-162	Licensee paid \$1,500 penalty
L14-165	Licensee paid \$2,250 penalty
L14-166	Licensee paid \$1,500 penalty

L15-050	Licensee paid \$1,500 penalty
L15-057	Licensee paid \$1,500 penalty
L15-060	Licensee paid \$1,500 penalty
L15-061	Licensee paid \$1,500 penalty
L15-066	Licensee paid \$750 penalty
L15-117	Licensee paid \$2,250 penalty
L15-120	Licensee paid \$1,500 penalty
L15-127	Licensee paid \$4,500 penalty
L15-128	Licensee paid \$1,500 penalty
L15-130	Licensee paid \$1,500 penalty
L15-131	Licensee paid \$1,500 penalty
L15-132	Licensee paid \$1,500 penalty

L14-189	Licensee paid \$1,500 penalty
L14-190	Licensee paid \$1,500 penalty
L14-330	Licensee paid \$750 penalty
L14-331	Licensee paid \$3,000 penalty
L14-335	Licensee paid \$750 penalty
L14-339	Licensee paid \$1,500 penalty
L14-340	Licensee paid \$1,500 penalty
L14-358	Licensee paid \$750 penalty
L15-001	Licensee paid \$1,265 penalty
L15-003	Licensee paid \$1,500 penalty
L15-005	Licensee paid \$1,500 penalty
L15-008	Licensee paid \$1,500 penalty
L15-018	Licensee paid \$1,500 penalty
L15-019	Licensee paid \$1,500 penalty
L15-049	Licensee paid \$1,500 penalty

L15-133	Licensee paid \$1,500 penalty
L15-134	Licensee paid \$1,500 penalty
L15-141	Licensee paid \$750 penalty
L15-142	Licensee paid \$1,500 penalty
L15-143	Licensee paid \$750 penalty
L15-144	Licensee paid \$1,500 penalty
L15-145	Licensee paid \$750 penalty
L15-159	Licensee paid \$1,500 penalty
L15-162	Licensee paid \$1,500 penalty
L15-163	Licensee paid \$1,500 penalty
L15-168	Licensee paid \$1,500 penalty
L15-179	Licensee paid \$6,000 penalty
L15-191	Licensee paid \$3,750 penalty
L15-200	Licensee paid \$1,500 penalty
L15-236	Licensee paid \$1,500 penalty

Administrative Penalties Assessed for Other Violations

Case No.: L14-337

Name: Group 1 Automotive, Inc., 8000 Gessner Road, Suite 500, Houston, Texas, 77024

License Nos.: 18420-66934, 15936-58563, 15939-58567, 16047-58757, 18384-66872, 15717-58045, 15717-58441, 18419-66933, 18419-150192, 15611-57803, 16553-62639, 15610-57802, 1400050329-150716.

Background: The OCCC initiated an enforcement action against Group 1 Automotive for violations of: (1) Section 348.501 of the Texas Finance Code by acting as retail sellers of motor vehicle retail installment contracts without required licenses issued by the OCCC and (2) Title 7, Section 84.604(e) of the Texas Administrative Code by conducting business under transferred licenses without approval from the OCCC.

Disposition: The OCCC issued an agreed order assessing a \$10,000 penalty.

Case No.: L15-017

Name: Bartlett, Wayne Ray d/b/a Bartlett Motors, 3783 Roosevelt Ave., San Antonio, Texas 78214

License No.: 6701-38169

Background: The OCCC initiated an enforcement action against Bartlett Motors for violation of Section 348.005 of the Texas Finance Code by charging and collecting excessive public official fees.

Disposition: The OCCC issued an agreed order assessing a \$1,398 penalty.

Case No.: L15-123

Name: Ford Motor Credit Company LLC, 9009 Carothers Parkway, Franklin, Tennessee, 37067

Master File: 12458

Background: The OCCC initiated an enforcement action against Ford Motor Credit for violation of Section 348.108 of the Texas Finance Code by charging and collecting unauthorized telephone-payment fees.

Disposition: The OCCC issued an agreed order requiring restitution of all telephone payment fees that were remitted to and retained by Ford Motor Credit.

Injunctions Issued for Unlicensed Activity

L11-096	Joseph V. Greer d/b/a Greer Auto Sales – injunction upheld after hearing
L13-171	Jamal Auto Sales, Inc. – Granted motor vehicle sales finance license
L14-058	Alvaro Nava d/b/a Nava Auto Sales – injunction upheld after hearing
L14-156	RWT Acceptance LLC – injunction is final
L14-345	Alliance Auto Group – injunction is final
L14-350	I.A.S.A., Inc. d/b/a Friendly Car Care – injunction is final
L15-011	Richard McDaniel d/b/a Diamond D Motor Company – injunction is final
L15-012	U Trade It LLC – injunction is final
L15-014	Wafayee, Mohammed d/b/a J & R Auto Center – injunction is final

Appeals of License Applications Denials

L15-115	Hailu Associates Inc. d/b/a Enterprise Auto Group – application withdrawn prior to hearing
L15-147	Gary Baker d/b/a Baker's Preowned Auto Sales – application withdrawn prior to hearing
L15-148	Roberto Fo Jr. d/b/a House of Kars Auto Group – application withdrawn prior to hearing
L15-149	Drive Auto Sale Inc. – application approved prior to hearing

Motor Vehicle Sales Finance License Summary As of April 30, 2015			
	FY 2013	FY 2014	FYTD 2015
Licensed Locations & Registered Offices	7,661	7,825	8,590
Application for New License	783	859	603
Application for Change in Ownership	161	70	109
Applications Denied	40	16	34